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EXAMINER

PINHEIRO, JASON PAUL

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3714

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/764,994	SMITH ET AL.
	Examiner	Art Unit
	Jason Pinheiro	3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-32 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 July 2004 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 07/06/2004 & 11/12/2004
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) Notice of Informal Patent Application
- 6) Other: ____

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "4", and "6" in Fig. 1, "5", and "6" in Fig. 3, "400" in Fig. 7, "28", and "30" in Fig. 9, "160", and "171" in Fig. 10, "522", "530", and "532" in Fig. 14, "678" in Fig. 15, and "908", and "940" in Fig. 18. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because reference character "18b" as seen in Fig. 1 should be changed to --16b--, Figs. 6, and 8 contain numerous parts which are not referenced in the specification as to give a clear understanding of the figure as it pertains to the disclosed invention, reference character "170" in Fig. 10 points to two different parts in the figure. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures

appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "subsystem 21A", "CPU bus 205", "Voa through Vog", "audio output terminal Ao via interface 271", "subsystem 23", "Sensor 920" (in Fig. 9), "shuffler 900", "insert rollers 912". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If

the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "300" has been used to designate both MPP Game Engine in Fig. 7 and 8MB Disk On Key Non-Volatile RAM in Fig. 8. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "138" has been used to designate both a pick-off roller and a pick-off wheel, and "142" has been used to designate both off-set rollers and nip rollers. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as

either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The abstract of the disclosure is objected to because it contains more than 150 words. Correction is required. See MPEP § 608.01(b).

7. The disclosure is objected to because of the following informalities:

Pg. 32, Line 25, Pg. 33, Lines 8 & 16, Pg. 35, Lines 8, 14 & 16: "a picture block 21" should be changed to --a video block 21--.

Pg. 33, Line 5: the abbreviation "VEP's" should be accompanied by its plain English meaning where it first appears.

Pg. 35, Line 7: the abbreviation "CD-I/F" should be accompanied by its plain English meaning where it first appears.

Pg. 36, Line 4: "MPP Game Display processor 202" should be changed to --MPP Game Display processor 292--.

Pg. 36, Line 8: "Uninterruptible Power Supply 204" should be changed to - -Uninterruptible Power Supply 294--.

Pg. 68, Line 17: "platform 150" should be changed to --platform 156--.

Pg. 72, Line 11: "rollers 142a and (not shown), 144a and 144b..." should be changed to --rollers 142a, 144a and 144b...--.

Pg. 80, Lines 14-20: none of the listed reference characters are found in Fig. 9, Fig. 14, or Fig. 15.

Appropriate correction is required.

8. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

9. The use of trademarks has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Objections

10. Claims 1, 4, 5, 29, 31, and 42 are objected to because of the following informalities:

Regarding claim 1: "a card reader" (Line 10) should be changed to --the card reader--;

Regarding claims 4 and 5: "single Dealer game engine" (Line 2 & 1 respectively) should be changed to --single dealer game engine--;

Regarding claim 29: "an at least one card supporting element" (Line 1)

should be changed to --an at least one card supporting element--;

Regarding claim 31: "comprises device for forming..." (Line 2) should be changed to --comprises a device for forming...--, and "an initial set of playing cards" (Line 5) should be changed to --the initial set of playing cards--;

Regarding claim 32: "a card mixing compartment" (Line 2) should be changed to -- the card mixing compartment --;

Appropriate correction is required.

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: between the table and the card reader, and between the processor and the card reader.

13. Claim 1 recites the limitation "the play" in line 10, and "the main game processor" in line 13. There is insufficient antecedent basis for these limitations in the claim.

14. Claim 22 recites the limitation "the order" in line 6. There is insufficient antecedent basis for this limitation in the claim.

15. Claim 25 recites the limitation "the card collection surface" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

16. Claim 26 recites the limitation "the position" in line 1, "the card collection surface" in lines 1-2, and "the bottom" in line 3. There is insufficient antecedent basis for these limitations in the claim.

17. Claim 27 recites the limitation "the card collection surface" in line 2, "the at least one card gripping element" in line 3, and "the card gripping element" in lines 3-4. There is insufficient antecedent basis for these limitations in the claim.

18. Claim 28 recites the limitation "the rank" in line 11. There is insufficient antecedent basis for this limitation in the claim.

19. Claim 30 recites the limitation "the card collection surface" in lines 2-3, and "the top card" in line 4. There is insufficient antecedent basis for this limitation in the claim.

20. Claim 31 recites the limitation "the rank" in line 9. There is insufficient antecedent basis for this limitation in the claim.

21. Claim 32 recites the limitation "the rank" in lines 7 and 14, "each set of cards" in lines 10-11 and 14, and "the gripping arm" in line 18. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 1-2, 6-17, 20-22, 24, 28, and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (US 2003/0199316) in view of Johnson et al (US 6267248) and Sines et al (US 2001/0000778).

Regarding claim 1: Miyamoto '316 discloses an automated gaming system comprising a gaming table and an upright video display panel (paragraph [0050]) (Fig. 1); a table having an upper surface (Fig. 1), the upper surface having a video display surface that provides a video display at least two different player positions (paragraph [0051]) (Fig. 1); and at least one processor in information communication with the upright video display panel and the video display surface, the processor or processors directing video display on both the upright video display panel and the video display surface (paragraphs [0062] – [0066]). However Miyamoto does not disclose a mechanical card shuffling device; a card reader; providing game rules for the play of at least one casino table card game without the use of physical cards on the table; or that a card reader establishes an electronic file of an order of a randomized set of cards and provides information from the electronic file that enables the main game processor to provide virtual cards to players based upon the order of cards identified in the electronic file.

Johnson '248 discloses a mechanical card shuffling device (abstract); a card reader (Col. 2, Lines 36-37); and that a card reader establishes an electronic file of an order of a randomized set of cards and provides information

from the electronic file that enables the main game processor to provide virtual cards based upon the order of cards identified in the electronic file (Col 4, Line 50 - Col. 5, Line 6) (Col. 6, Lines 4-7). Johnson does not specifically disclose that the virtual cards are dealt to players, however it would have been an obvious modification to one skilled in the art at the time the invention was made to deal the virtual cards to plays in order to create a more interactive and enjoyable game for the player to play.

Sines '778 discloses providing game rules for the play of at least one casino table card game without the use of physical cards on the table (paragraph [0180]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Johnson and Sines into the device of Miyamoto in order to create a quicker and therefore more enjoyable game for players to play.

Regarding claim 2: Miyamoto discloses that which is discussed above. Miyamoto further discloses that each player position has an individual player processing board dedicated to that position (paragraph [0049]). However Miyamoto does not disclose that the card reader is part of the mechanical card shuffling device.

Johnson does disclose that the card reader is part of the mechanical card shuffling device (abstract).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Johnson and Sines into the device of Miyamoto in order to create a quicker and therefore more enjoyable game for players to play.

Regarding claim 6: Miyamoto discloses that which is discussed above. However Miyamoto does not disclose that the processor is programmable to enable the play of more than one different casino table game wherein cards are used in the play of each of the games.

Sines does disclose that the processor is programmable to enable the play of more than one different casino table game wherein cards are used in the play of each of the games (paragraph [0048]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Johnson and Sines into the device of Miyamoto in order to enhance the play and entertainment value of the game.

Regarding claim 7: Miyamoto discloses that which is discussed above. Miyamoto further discloses that the video display surface is a continuous video display surface (Figs. 6a-6f).

Regarding claim 8: Miyamoto discloses that which is discussed above. Miyamoto further discloses that the continuous video display surface has changeable light filtering that can screen displayed images from various angles

and the light filtering can be changed upon command by the processor (paragraphs [0062]-[0066]).

Regarding claim 9: Miyamoto discloses that which is discussed above. Although Miyamoto does not specifically disclose the light filtering can be changed upon external command, Miyamoto does disclose that the continuous video display is CRT display device (10) and it is well known that common CRT displays contain knobs and/or buttons or the like to adjust the light filtering of the screen in order to create a more pleasurable display for the viewer to view.

Regarding claims 10-11: Miyamoto discloses that which is discussed above. However Miyamoto does not disclose player input is provided at least in part by controls in the video display surface; and that the controls comprise touch screen controls.

Sines does disclose player input is provided at least in part by controls in the video display surface, and that the controls comprise touch screen controls (paragraph [0091]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Johnson and Sines into the device of Miyamoto in order to enhance the play and entertainment value of the game.

Regarding claim 12: Miyamoto discloses that which is discussed above. Miyamoto further discloses that the controls comprise a panel embedded into the video display surface (paragraphs [0100]-[0101]).

Regarding claim 13-15: Miyamoto discloses that which is discussed above. Miyamoto further discloses that additional player input can be provided from player input provided on a surface below the video display surface and facing a position where players are to be seated (11) (Fig. 10).

Regarding claim 16-17: Miyamoto discloses that which is discussed above. However Miyamoto does not disclose that communication between the at least one processor and the individual player processor is performed through a transaction-based protocol; or that the at least one processor or the individual player processor can start a transaction.

Sines does disclose that communication between the at least one processor and the individual player processor is performed through a transaction-based protocol (PENTIUMTM) (paragraph [0085]), and Although Sines does not specifically disclose that the at least one processor or the individual player processor can start a transaction it is well known in the art that using a transaction based protocol allows for a transaction to be initiated by either processor.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Johnson and Sines into the device of Miyamoto in order to create a more reliable communication with the gaming device.

Regarding claims 20-21: Miyamoto discloses that which is discussed above. Miyamoto further disclose that each player position has an intelligent

individual player processing board dedicated to that position (paragraph [0049]). However Miyamoto does not disclose that communication between the at least one processor and the individual player processor is performed through a transaction-based protocol; and that the at least one processor or the individual player processor can start a transaction it is well known in the art that using a transaction based protocol allows for a transaction to be initiated by either processor.

Sines does disclose that communication between the at least one processor and the individual player processor is performed through a transaction-based protocol (PENTIUMTM) (paragraph [0085]), Although Sines does not specifically disclose that the at least one processor or the individual player processor can start a transaction it is well known in the art that using a transaction based protocol allows for a transaction to be initiated by either processor.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Johnson and Sines into the device of Miyamoto in order to create a more reliable communication with the gaming device.

Regarding claims 22, 28, and 31: Miyamoto discloses that which is discussed above. However Miyamoto does not disclose that the mechanical shuffling device comprises: a top surface and a bottom surface of said device; a single card receiving area for receiving an initial set of playing cards; a

randomizing system for randomizing the order of an initial set of playing cards; a collection surface in a card collection area for receiving randomized playing cards one at a time into the card collection area, the collection surface receiving cards so that all cards are received below the top surface of the device; an image capture device that reads the rank and suit of each card before being received on the card collection surface; an elevator for raising the collection surface so that at least some randomized cards are elevated at least to the top surface of the device; and a moveable cover over the elevator.

Johnson does disclose that the mechanical shuffling device comprises a device for forming a random set of playing cards (Col. 2, Lines 50-52) comprising: a top surface and a bottom surface of said device (Fig. 2); a single card receiving area for receiving an initial set of playing cards (Col. 1, Lines 57-60); a randomizing system for randomizing the order of an initial set of playing cards (Col. 1, Line 53 – Col. 2, Line 45); a collection surface in a card collection area for receiving randomized playing cards one at a time into the card collection area (Col. 1, Line 38 – Col. 2, Line 60) (Fig. 2), the collection surface receiving cards so that all cards are received below the top surface of the device (Col. 2, Lines 4-7, and Col. 2, Lines 62-63) (Fig. 2); an image capture device that reads the rank and suit of each card before being received on the card collection surface (Col. 2, Lines 27-37, and Col. 5, Lines 8-11) (Fig. 2); an elevator for raising the collection surface so that at least some randomized cards are elevated at least to the top surface of the device (Col. 2, Lines 8-48, and Col. 3,

Lines 61-65) (Fig. 2); and a moveable cover over the elevator (Col. 3, Lines 50-55) (Fig. 2).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Johnson and Sines into the device of Miyamoto in order to enhance the play and entertainment value of the game.

Regarding claim 24: Miyamoto discloses that which is discussed above. However Miyamoto does not disclose at least one pick-off roller removes cards one at a time from the card receiving area and moves cards one at a time towards the randomizing system and the image capture device can read a card only after it has been moved by the at least one pick-off roller.

Johnson does disclose at least one pick-off roller removes cards one at a time from the card receiving area and moves cards one at a time towards the randomizing system and the image capture device can read a card only after it has been moved by the at least one pick-off roller (Fig. 2)).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Johnson and Sines into the device of Miyamoto in order to enhance the play and entertainment value of the game.

Regarding claim 32: Miyamoto discloses that which is discussed above. However Miyamoto does not disclose that the mechanical card shuffling device comprises an automatic card shuffling device comprising: a microprocessor with

memory for controlling the operation of the device; an in-feed compartment for receiving cards to be randomized; a card moving mechanism for moving cards individually from the in-feed compartment into a card mixing compartment; an image capture system that can identify at least the rank of each card as it is moved towards, into or through the card mixing compartment, but before removal from the device; a card mixing compartment that identifies a position for each card in each set of cards formed in the card mixing compartment, a memory that records at least the rank of each card in each set of cards formed in the card mixing compartment; wherein the card mixing compartment comprises a plurality of substantially vertical supports, an opening for the passage of cards from the in-feed compartment, a moveable lower support surface; at least one stationary gripping element, a lower edge proximate the opening, the gripping arm capable of suspending cards above the opening; and an elevator for raising and lowering the moveable support surface.

Johnson does disclose that the mechanical card shuffling device comprises an automatic card shuffling device comprising: a microprocessor with memory for controlling the operation of the device (Col. 1, Line 53 – Col. 2, Line 42); an in-feed compartment for receiving cards to be randomized (Col. 1, Lines 59-60) (Fig. 2); a card moving mechanism for moving cards individually from the in-feed compartment into a card mixing compartment (Col. 2, Lines 38-39); an image capture system that can identify at least the rank of each card as it is moved towards, into or through the card mixing compartment, but before removal

from the device (Col. 2, Lines 27-37 & Col. 5, Lines 8-11) (Fig. 2); a card mixing compartment that identifies a position for each card in each set of cards formed in the card mixing compartment (Col. 1, Line 68 – Col. 2, Line 60); a memory that records at least the rank of each card in each set of cards formed in the card mixing compartment (Col. 4, Lines 7-15); wherein the card mixing compartment comprises a plurality of substantially vertical supports (Fig. 2), an opening for the passage of cards from the in-feed compartment (Fig. 2), a moveable lower support surface (Fig. 2); at least one stationary gripping element (Fig. 2), a lower edge proximate the opening (Fig. 2), the gripping arm capable of suspending cards above the opening; and an elevator for raising and lowering the moveable support surface (Fig. 2).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Johnson and Sines into the device of Miyamoto in order to enhance the play and entertainment value of the game.

24. Claims 3-5, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (US 2003/0199316) in view of Johnson et al (US 6267248) and Sines et al (US 2001/0000778) as applied to claim 2 above, and further in view of Takashima (US 4614242).

Regarding claims 3-5: Miyamoto, Sines, and Johnson disclose that which is discussed above. However Miyamoto, Sines, and Johnson do not disclose that each individual player processing board communicates directly with a main game

processor; that each individual player processing board communicates directly with a single Dealer game engine processor; and that the single Dealer game engine processor communicates directly with the main game processor.

Takashima does disclose that each individual player processing board (88) (Fig. 5(b)) communicates directly with a main game processor (83) (Fig. 5(b)); that each individual player processing board communicates directly with a single Dealer game engine processor (Col. 4, Lines 31-45); and that the single Dealer game engine processor (58) (Fig. 5(a)) communicates directly with the main game processor (46) (Fig. 5(a)).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Takashima into the combined device of Johnson, Sines, and Miyamoto in order to create a more flexible and customizable game, and therefore increase the enjoyment by players.

Regarding claims 18-19: Regarding claims 3-5: Miyamoto, Sines, and Johnson disclose that which is discussed above. Sines further discloses that communication between the at least one processor and the individual player processor is performed through a transaction-based protocol (PENTIUMTM) (paragraph [0085]); and although Sines does not specifically disclose that the at least one processor or the individual player processor can start a transaction it is well known in the art that using a transaction based protocol allows for a transaction to be initiated by either processor.

25. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (US 2003/0199316) in view of Johnson et al (US 6267248) and Sines et al (US 2001/0000778) as applied to claim 22 above, and further in view of Huen (US 5240140).

Regarding claims 3-5: Miyamoto, Sines, and Johnson disclose that which is discussed above. Johnson further discloses that the elevator raises all randomized cards above the top surface of the device (Col. 2, Lines 8-48). However Miyamoto, Sines, and Johnson do not disclose that the moveable cover is automatically raised to allow the randomized cards to rise above the top surface of the device.

Huen '140 does disclose that the moveable cover is automatically raised to allow the randomized cards to rise above the top surface of the device (Col. 3, Lines 29-39) (Figs. 1 & 3).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Huen into the combined device of Johnson, Sines, and Miyamoto in order to create a quicker and more thorough shuffling and dealing means with the gaming device.

26. Claim 25-27, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (US 2003/0199316) in view of Johnson et al (US 6267248) and Sines et al (US 2001/0000778) as applied to claim 22 above, and further in view of Purton (US 6726205).

Miyamoto, Sines, and Johnson disclose that which is discussed above. However Miyamoto, Sines, and Johnson do not disclose at least one microprocessor is present in the device and the at least one microprocessor controls vertical movement of the card collection surface and camera triggering; that at least a second sensor identifies the position of the card collection surface so as to place a top card in the collection area at a position that is level with or above the bottom of at least one card gripping element that is movable from at least one side of the collection area towards playing cards within the card collection area; or that the microprocessor is programmed to determine a distance that the card collection surface must be vertically moved to position at least one specific card at a bottom edge of the at least one card gripping element when the card gripping element moves to contact cards within the card collection area; or that a microprocessor is communicatively connected to the device and the microprocessor is programmed to determine a distance that the card collection surface must be vertically moved to position at least one specific card position other than the top card at a bottom edge of the at least one card supporting element when the card supporting element moves to contact cards within the card collection area.

Purton '205 does disclose at least one microprocessor is present in the device and the at least one microprocessor controls vertical movement of the card collection surface and camera triggering (Col. 8, Lines 30-55); that at least a second sensor identifies the position of the card collection surface so as to place

a top card in the collection area at a position that is level with or above the bottom of at least one card gripping element that is movable from at least one side of the collection area towards playing cards within the card collection area (Col. 5, Line 65 – Col. 6, Line 9) (Fig. 16); and that the microprocessor is programmed to determine a distance that the card collection surface must be vertically moved to position at least one specific card at a bottom edge of the at least one card gripping element when the card gripping element moves to contact cards within the card collection area (Col. 4, Line 58 – Col. 5, Line 8); and that that a microprocessor is communicatively connected to the device and the microprocessor is programmed to determine a distance that the card collection surface must be vertically moved to position at least one specific card position other than the top card at a bottom edge of the at least one card supporting element when the card supporting element moves to contact cards within the card collection area (Col. 6, Lines 19-23) (Fig. 4).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Purton into the combined device of Johnson, Sines, and Miyamoto in order to provide card placement within the card collection area in order to automate the process of integrating cards to eliminate the need for manual inspection.

27. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (US 2003/0199316) in view of Johnson et al (US 6267248) and Sines et

al (US 2001/0000778) as applied to claim 22 above, and further in view of Johnson (US 5683085).

Regarding claims 29: Miyamoto, Sines, and Johnson disclose that which is discussed above. However Miyamoto, Sines, and Johnson do not disclose that the at least one card supporting element comprises an element on at least one side of the card collection area that can move inwardly within the card collection area to contact and support the predetermined number of cards within the card collection area.

Johnson '085 does disclose that the at least one card supporting element comprises an element on at least one side of the card collection area that can move inwardly within the card collection area to contact and support the predetermined number of cards within the card collection area (Col. 5, Lines 29-35, & Col. 7, Lines 11-15).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Purton into the combined device of Johnson, Sines, and Miyamoto in order to provide card placement within the card collection area in order to create a more efficient card shuffling device.

Conclusion

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Albrecht '632 discloses an automatic card sorter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Pinheiro whose telephone number is 571-270-1350. The examiner can normally be reached on M - F 8:00 AM - 4 PM;.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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6/25/2007



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